

SM 693-07  
SUB

minor  
Snow Hill<sup>K</sup> Subdivision  
07-110-136

51829-6804

Comments  
12/12/07 KS  
JAC 6/16/09

Martin O'Malley  
*Governor*

Anthony G. Brown  
*Lt. Governor*



Margaret G. McHale  
*Chair*

Ren Serey  
*Executive Director*

**STATE OF MARYLAND  
CRITICAL AREA COMMISSION  
CHESAPEAKE AND ATLANTIC COASTAL BAYS**

1804 West Street, Suite 100, Annapolis, Maryland 21401  
(410) 260-3460 Fax: (410) 974-5338  
[www.dnr.state.md.us/criticalarea/](http://www.dnr.state.md.us/criticalarea/)

June 16, 2009

Ms. Brandy Glenn  
St. Mary's County Government  
Department of Land Use and Growth Management  
P O Box 653  
Leonardtown, Maryland 20650

Re: Snow Hill Section II – Local Case No. 09-110-021

Dear Ms. Glenn:

Thank you for forwarding the request for minor subdivision. The plat indicates that the existing parcel is 47 acres. The applicant proposes a to create one lot under intrafamily transfer provisions. Based on the information provided, it is not clear how Parcel 131 is configured, as our records indicate that a portion of Parcel 131 crosses over Old Trappe Lane. That portion of P. 131 contains Resource Conservation Area (RCA). It does not appear that any Critical Area exists on the portion this plat proposes to subdivide. Provided this is the case, this office does not have specific comments. Should there be any portion of the lot or "reserve acreage" within the Critical Area, this should be clarified on the plat and resubmitted to this office.

Thank you for the opportunity to provide comments. I can be contacted with any questions at 410-260-3476.

Sincerely,

A handwritten signature in black ink, appearing to read "Julie Roberts".

Julie Roberts  
Natural Resources Planner

cc: Sue Veith, Environmental Planner

SM 184-09 693-07

Martin O'Malley  
Governor

Anthony G. Brown  
Lt. Governor



Margaret G. McHale  
Chair

Ren Serey  
Executive Director

**STATE OF MARYLAND  
CRITICAL AREA COMMISSION  
CHESAPEAKE AND ATLANTIC COASTAL BAYS**

1804 West Street, Suite 100, Annapolis, Maryland 21401  
(410) 260-3460 Fax: (410) 974-5338  
[www.dnr.state.md.us/criticalarea/](http://www.dnr.state.md.us/criticalarea/)

December 12, 2007

Brittany Carter  
St. Mary's County Government  
Department of Land Use and Growth Management  
P O Box 653  
Leonardtown, Maryland 20650

Re: Snow Hill Minor Subdivision  
Local Case #07-110-136

Dear Ms. Carter:

Thank you for submitting the above referenced subdivision for review and comment. The applicant is seeking to create one lot from a 48.412 acre parcel that is located partially in the Resource Conservation Area. The proposed lot will be 7.165 acres in size and located within the RCA. The remaining Farmstead Lot will contain 17.2 acres of RCA. Based on the information provided I have the following comments:

1. Given the total RCA acreage of 24.365 the applicant is entitled to a total of three lots or dwelling units via intrafamily transfer within the Critical Area. Note #3 under intrafamily transfer provisions indicates one additional density unit is available under these provisions.
2. The notes on the plat must include the names and relationship of the immediate family member to whom the three lots will be transferred. Immediate family members include a person who is either the applicant's father, mother, son, daughter, grandfather, grandmother, grandson, or granddaughter.

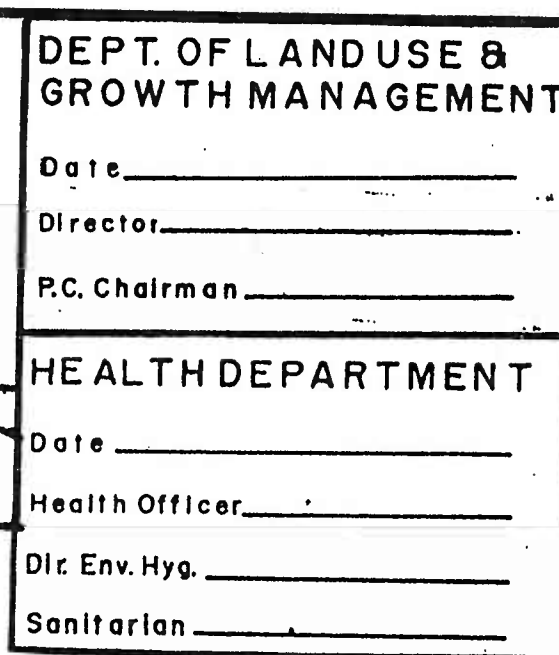
Thank you for the opportunity to provide comments. If revisions to the plat are made, please forward a copy to our office. If you have any questions, please contact me at 410-260-3475.

Sincerely,

A handwritten signature in cursive script that reads "Kate Schmidt".

Kate Schmidt  
Natural Resource Planner

SM 693-07



## GENERAL NOTES

- ### FIDS HABITAT NOTES

This property appears to meet the criteria of Forest Interior Dwelling Species habitat. As such, the following development criteria shall be implemented for the project where applicable:

- a. Development activities including clearing, grading and construction shall be minimized during the May – August breeding season.
- b. Unavoidable development activities or other disturbances during the May to August breeding season shall be focused on the periphery of the area (roads, utility lines, corridors and structures).
- c. Continuous cover of branches and foliage formed by the crowns of adjacent trees (forest canopy) and trees and shrubs underneath the canopy (understory) vegetation should be retained in so far as possible.
- d. Clearing and development activities should be clustered and creation of small clearings should be minimized.
- e. Where forest must be cleared, the cleared forest should be allowed or encouraged to return to native vegetation in so much as possible.

### SURVEYORS CERTIFICATE

I hereby certify to the best of my knowledge, information and belief that the plat shown herein is correct (subject to a title search) and conforms to the specifications; that this is a Minor Subdivision of all of the property conveyed unto Francis DeSales Lacey and Barbara Jean Lacey, his wife, from Lawrence J. Pilkerton, by deed dated May 27, 1988 recorded among the Land Records of St. Mary's County, Maryland in Libers MRB 413 at Folio 247.

The requirements of section 3-108 of the Annotated Code of Maryland (Real Property Article) as far as it concerns the making of the plan and setting of markers required therein have been complied with to the best of my knowledge, information and belief.

Date \_\_\_\_\_ Robert E. Trautman  
Professional Land Surveyor # 10586

## OWNERS DEDICATION

We, the undersigned, owners of the property shown hereon and described in the Surveyor's Certificate affixed hereto, hereby adopt this Minor Subdivision upon its approval by all required agencies. There are no suits or actions at law, leases, liens, mortgages or deeds of trusts affecting this Minor Subdivision except as noted or shown hereon. All parties in interest thereto have affixed their signatures indicating their assent to this plan.

We further establish the minimum building restriction lines as required by the zoning ordinance of St. Mary's County and dedicate the streets, walkways, easements, rights-of-ways and other improvements, where applicable, to public use.

The requirements of section 3-108 of the Annotated Code of Maryland (Real Property Article) as far as it concerns the making of the plan and setting of markers required therein have been complied with to the best of our knowledge, information and belief.

We hereby grant unto the St. Mary's County Metropolitan Commission, its successors and assigns, a right of ingress and egress over, and a perpetual easement in, the 10 foot easement (along all lot lines), as well as others that may be shown herein, for construction, installation, maintenance, repair, inspection and operation of any future public water and sewer facilities should such ever be installed.

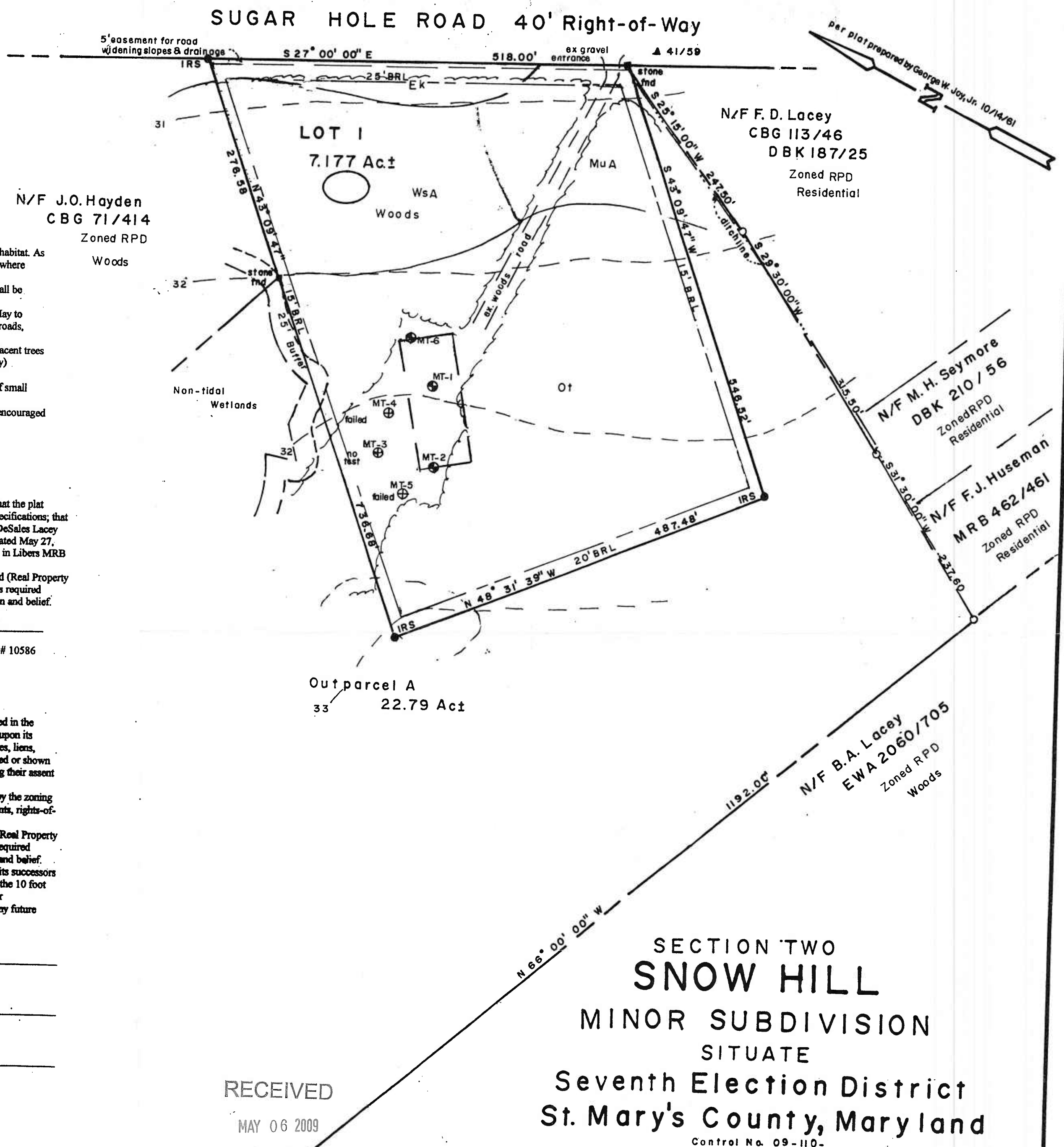
Date \_\_\_\_\_ Francis DeSales Lacey

Date \_\_\_\_\_ Barbara Jean Lacey

<u>Date</u>	<u>Mortgagee</u>
-------------	------------------

### DENSITY TABLE

Total RPD Acreage = 29.97 acres  
Density parcel required for lot 1 = none.  
Base density = 1 lot per 5 acres  
Lot 1 is for a child which requires 5 acres per each lot.  
No TDRs required  
Previous TDR's removed = none.  
Lot 1 = 7.177 acres.  
TDR's remaining = 4



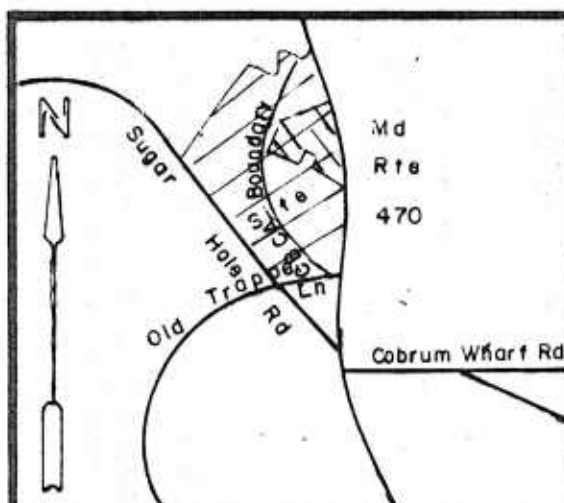
RECEIVED

MAY 06 2009

St. Mary's County  
Use & Growth Management

Date		REVISIONS	Seal	Scale: 1" = 100'	Date: 4-14-09
				ROBERT E. TRAUTMAN Professional Land Surveyor 45248 Abell Drive California, Maryland 20619 (301) 862-1457	
				Drawn by R.E.T. Job No: 201-016	
				Sheet No. 6 of 6	





# VICINITY MAP

Scale: 1"=2000'

## GENERAL NOTES

- The property shown on Tax Map 39, Block 1, Parcels 131.
- Total site area 48.413 Acres.
- The property shown is zoned RPD (RCA overlay, part).
- Building Restriction Lines shall be Front 25', Side 15', and Rear 20' BRL's are mapped in accordance with the St. Mary's County Comprehensive Zoning Ordinance 02-01 Chapter 32.3.2 and Schedule 32.1, which shall be applied from the more restrictive of the lot lines or from sensitive areas mapped Chapter 71.
- This lot shall be served by an individual well and a mound septic system.
- Deep wells shall be drilled to an approved confined aquifer.
- This Health Department approval certifies that the above Lot is in consonance with pertinent Health Department laws and regulations. Changes in topography or site designation may void this approval. The designated perc. area is the only area approved by the St. Mary's County Health Department for sewerage disposal purposes. The lot includes an area of at least 10,000 square feet for sewerage disposal purposes as required by current Maryland State Health Department laws. Improvements of any nature, including, but not limited to the installation of other utility lines in this area, which may render the lot undevelopable. To determine the exact area of the lot approved for sewerage disposal purposes or to establish a different area for such purposes, you should contact the St. Mary's County Health Department, Office of Environmental Health.
- "Minimum Ownership Statement" - These lots contain an area of at least 20,000 square feet which does not include any rights-of-ways, 50 year flood plains or grades of 25% or greater.
- This subdivision is in compliance with the St. Mary's County Comprehensive Water and Sewer Plan.
- There shall be a 10, foot utility easement along each lot line. These easements are to include use by the St. Mary's County Metropolitan Commission, its successors and assigns, for construction, installation, maintenance, repair, inspection and operation of any future public water and sewer facilities, should such facilities ever be installed.
- No prior restrictions exist.
- Areas established for resource protection on the site, in accordance with required protection levels, must remain in undisturbed open space and undeveloped.
- There are no non-conforming structures in accordance with Chapter 52.3.4 of the St. Mary's County Comprehensive Zoning Ordinance.
- This plat was prepared without benefit of Title Report which may show additional conveyances, easements, covenants, rights-of-ways or more stringent building restriction lines not shown hereon.
- There are no soils with structural limitations (Soils Survey of St. Mary's County).
- There are no critical habitats (Forest Conservation Manual).
- There are no historic sites present on these lots.
- There are no cultural features on this site (USGS map).
- The topographical features and all other planimetric information shown hereon were provided by Photo Science, Inc. from aerial photography flown in 1993 and compiled by photo grammatical methods for St. Mary's County, Department of Public Works. The aerial mapping is based on NAD 83 MD State Plane Coordinate System NAVD 88 Vertical Datum.
- Disturbance of slopes 25% (15% in critical area) is prohibited.
- No Non-tidal wetlands exist on this property (National Wetlands Inventory Map).
- Floodplains do exist on this property (FIRM map 24037C0161E). No use shall be made, nor shall any improvements be constructed, in the floodplain and drainage easement without specific authorization from the St. Mary's County Department of Land Use and Growth Management. The floodplain shall be all lands contiguous to tidal waters (zone AE) and below the established base flood elevation of 9.0.
- Total number of lots is 1.
- Premises address is shown thus ☐.
- Proposed land use - Residential.
- No further subdivision is planned at this time.
- Water and sewerage plan designation at this time is NPS.
- Other than those wells and septic systems shown hereon there are no other wells and septic systems apparent within 100 feet of the proposed wells and/or sewerage easements.
- Prior to the issuance of a Building Permit for Lot 1 shown hereon, stormwater management and overlot grading shall be provided in accordance with the Stormwater Management, Grading, Erosion and Sediment Control Ordinance Farmstead 500-1 is exempt from Stormwater Management pursuant to the St. Mary's County Comprehensive Zoning Ordinance. Any further development shall be subject to Stormwater Management, Erosion and Sediment Control Ordinance.
- These lots are exempt from the Forest Conservation Regulations in accordance with Section 75.2.2.j of the St. Mary's County Comprehensive Zoning Ordinance.
- Lot 1 is to be transferred to an immediate family member.

## DEPT. OF LAND USE & GROWTH MANAGEMENT

Date \_\_\_\_\_  
Director \_\_\_\_\_  
P.C. Chairman \_\_\_\_\_  
Date \_\_\_\_\_  
Health Officer \_\_\_\_\_  
Dir. Env. Hyg. \_\_\_\_\_  
Sanitarian \_\_\_\_\_

## HEALTH DEPARTMENT

## Intrafamily Transfer Notes

- Lot 1 has been created and approved pursuant to the intrafamily transfer provisions of Chapter 41.6.4(2), St. Mary's Critical Area Ordinance 02-01, and is subject to the restrictions of those provisions.
- The property being developed is within a subdivision created in conjunction with an intra-family transfer of land, in which case the following conditions shall apply:
  - A covenant shall run with the deed, which states that the subdivision was for the purpose of creating a bona-fide intra-family transfer.
  - Conveyance of the lot to a third party as security for mortgage or deed of trust is not prohibited by this ordinance.
  - Once a transfer is made to a family member, a subsequent transfer cannot be made unless to a member of the owner's immediate family, except when:
    - The lot was created as a part of a bona-fide transfer and not with the intent of subdividing for commercial sale;
    - A change in circumstances has occurred since the original transfer, which warrants an exception. Such change warranting an exception must be consistent with the purpose and intent of this section of the zoning ordinance.
  - Intra-family transfers may only be made from parcels of land that were on record as of March 1, 1986, and which are seven (7) or more acres and less than sixty (60) acres in size. On such lands the following conditions shall apply to intra-family transfers:
    - A parcel that is seven (7) acres or more and less than twelve (12) acres may be subdivided into two (2) lots.
    - A parcel that is twelve (12) acres or more and less than sixty (60) acres may be subdivided into three (3) lots.
- The critical area portion of Farmstead 500-1, containing 17.2 acres, shall be restricted to one more density unit for family members as noted above.

## CRITICAL AREA NOTES

- Approximately 7.165 acres of this site lie within Maryland's Critical Area. Any and all development activities proposed within this area are subject to Critical Area regulations and will not be permitted until all appropriate local, state and federal agencies have approved the development plan.
- The Critical Area Buffer must remain in natural vegetation and may not be disturbed except as provided under Chapter 71, Section 8 (Habitat Protection Standards) of the St. Mary's County Comprehensive Zoning Ordinance (02-01, as Amended).
- No development is permitted in wetlands without approval from the appropriate local, state and federal agencies.
- All existing forest shown hereon shall remain undisturbed except as permitted under the provisions of Chapter 72 (Forest and Woodland Resources, in the Critical Area) of the St. Mary's County Critical Area Ordinance. Any and all afforested or reforested areas created under the provisions of the St. Mary's County Critical Area Ordinance and designated on this plat shall be preserved from future disturbance.
- Existing impervious surface within 100' Critical Area Buffer-----0 sf
- Slopes greater than 15%-----0 sf
- Existing trees / tree line-----1.09 ac
- Existing impervious surfaces and cultural features-----1.400 sf
- Locations of natural heritage areas, habitats of threatened or endangered species, and habitats of significant plants or wildlife are identified on this plat in accordance with Chapter 71.8 of the St. Mary's Critical Area Ordinance.
- Areas of vegetation clearing-----0 tree
- Proposed soil disturbance-----0 sf
- Proposed impervious surfaces-----0 sf
- Required reforestation or afforestation-----0 tree
- Existing Farm Plan - Account ID #1902015854, Dated 8/1/07

## OWNERS DEDICATION

We, the undersigned, owners of the property shown hereon and described in the Surveyor's Certificate affixed hereto, hereby adopt this Minor Subdivision upon its approval by all required agencies. There are no suits or actions at law, leases, liens, mortgages or deeds of trusts affecting this Minor Subdivision except as noted or shown hereon. All parties in interest thereto have affixed their signatures indicating their assent to this plan.

We further establish the minimum building restriction lines as required by the zoning ordinance of St. Mary's County and dedicate the streets, walkways, easements, rights-of-ways and other improvements, where applicable, to public use.

The requirements of section 3-108 of the Annotated Code of Maryland (Real Property Article) as far as it concerns the making of the plan and setting of markers required therein have been complied with to the best of our knowledge, information and belief.

We hereby grant unto the St. Mary's County Metropolitan Commission, its successors and assigns, a right of ingress and egress over, and a perpetual easement in, the 10 foot easement (along all lot lines), as well as others that may be shown herein, for construction, installation, maintenance, repair, inspection and operation of any future public water and sewer facilities should such ever be installed.

Date \_\_\_\_\_ Francis DeSales Lacey  
Date \_\_\_\_\_ Barbara Jean Lacey  
Date \_\_\_\_\_ Mortgagee

## SURVEYORS CERTIFICATE

I hereby certify to the best of my knowledge, information and belief that the plat shown hereon is correct (subject to a title search) and conforms to the specifications, and this is a Minor Subdivision of all of the property conveyed unto Francis DeSales Lacey and Barbara Jean Lacey, his wife, from Lawrence J. Pilkerton, by deed dated May 27, 1988 recorded among the Land Records of St. Mary's County, Maryland in Libers MKR 413 at Folio 247.

The requirements of section 3-108 of the Annotated Code of Maryland (Real Property Article) as far as it concerns the making of the plan and setting of markers required therein have been complied with to the best of my knowledge, information and belief.

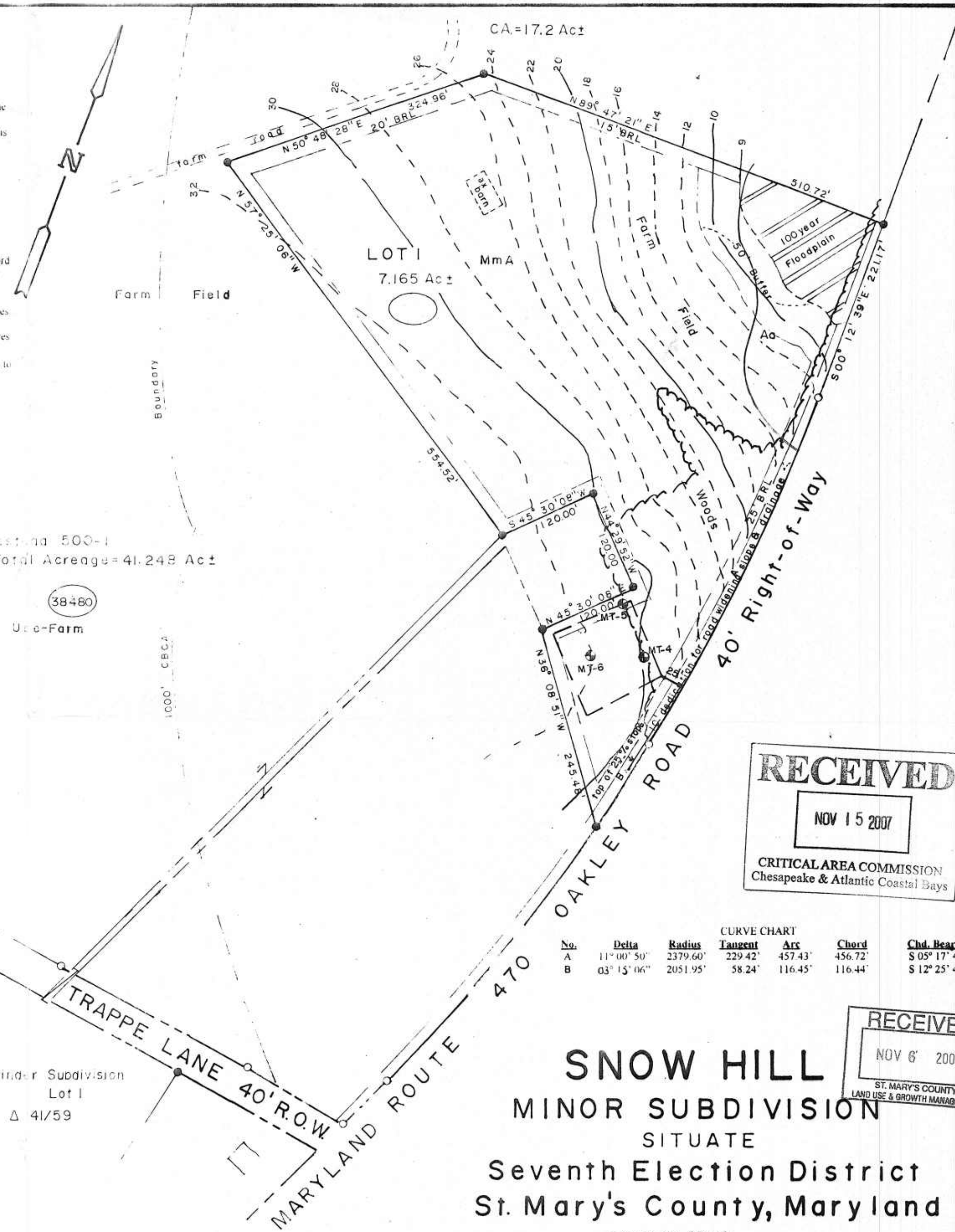
Date \_\_\_\_\_ Robert E. Trautman  
Professional Land Surveyor # 10586

Farmstead 500-1  
Total Acreage = 41.248 Ac ±

(38480)  
Use-Farm

Grinder Subdivision  
Lot 1  
Δ 41/59

Date	REVISIONS	Seal	Scale: 1"=100'	Date: 10-30-07
			ROBERT E. TRAUTMAN Professional Land Surveyor 45248 Abell Drive California, Maryland 20619 (301) 862-1457	
			Drawn by R.E.T. Job No: 95-022	Sheet No 1 of 1



No.	Delta	Radius	Tangent	Chord	Chd. Bearing
A	11° 00' 50"	2379.60'	229.42'	457.43'	S 05° 17' 46" W
B	03° 15' 06"	2051.95'	58.24'	116.45'	S 12° 25' 44" W

RECEIVED  
NOV 15 2007  
CRITICAL AREA COMMISSION  
Chesapeake & Atlantic Coastal Bays

RECEIVED  
NOV 6 2007  
ST. MARY'S COUNTY  
LAND USE & GROWTH MANAGEMENT

SNOW HILL  
MINOR SUBDIVISION  
SITUATE  
Seventh Election District  
St. Mary's County, Maryland

Control No. 07-110